

**Notice of Allowability**

Application No.

10/810,769

Examiner

Amy J. Sterling

Applicant(s)

SMITH, RON

Art Unit

3632

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/13/06.
2. ☒ The allowed claim(s) is/are 3,5,6,8,10-15,17 and 21-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

***Notice of Allowance***

This is the Notice of Allowance for application number 10/810,769 Foldable Book Holder filed on 3/25/04. Claims 3, 5, 6, 8, 10-15, 17 and 21-25 are allowed.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

In claim 5, line 20, after "right support" and before "comprises" [members] had been deleted and member has been added.

In claim 5 line 25, after "shelf is in" and before "collapsed position" [the] has been deleted and a has been added.

In claim 11, line 7, after "panel and to" and before "set-up position" [an] has been deleted and a has been added.

Authorization for this examiner's amendment was given in a telephone interview with Barbara Pederson on 3/17/06.

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

With regards to claims 5 and 11, the prior art does not teach wherein the shelf has a right groove/notch and a left groove/notch and wherein the front portion of the right support member has a first tab/edge protrusion frictionally received in the right groove/notch when the shelf and stand are in the set-up position/configuration and wherein the front portion of the right support member further has a second tab/surface protrusion frictionally received in the right groove/notch when the shelf and stand are in the collapsed position/configuration in combination with the foldable book stand having a panel having a front surface a rear surface and right and left outer edges, a shelf connected to the panel and pivotal to a flat position parallel to the panel when the stand is a collapsed configuration and positioned at an angle to the front surface of the panel in when the shelf is in a set-up position, right and left support members connected to a rear surface of the panel near the outer edges respectively, the support members being pivotal so that they can fold flat against the panel when the stand is in a collapsed configuration and pivot away from each other when the stand is in a set-up configuration, to extend rearward from the panel and diverge from each other and wherein front portions of the right and left support members extend underneath the shelf to hold the shelf in a set-up position.

With regards to claim 23, the prior art does not teach wherein the shelf has a right hole and a left hole and the right and left support members have a hole and wherein the stand is in the collapsed configuration the right and left holes of the shelf

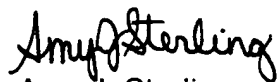
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are aligned with the hole in the respective support member for receiving the rings of a binder in combination with the panel, the shelf and the right and left support members as described above.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 571-272-6823. The examiner can normally be reached (M-F 8 a.m.-5:00 p.m.). If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Robert Olszewski at 571-272-6788. The fax machine number for the -Technology center is 571-273-8300 (formal amendments) or 571-273-6823 (informal amendments/communications). Any inquiry of a general -nature or relating to the status of this application should be directed to the Technology Center receptionist at 571-272-3600.

  
Amy J. Sterling  
3/25/06